

UNITED STATES DISTRICT COURT
DISTRICT OF MARYLAND

GOVERNMENT EMPLOYEES HEALTH ASSOCIATION, on behalf of itself and all other similarly situated,

Plaintiff,

v.

ACTELION PHARMACEUTICALS LTD.,
et al.,

Defendants.

Case No. 18-cv-3560-GLR

JOINT STIPULATION TO AMEND SCHEDULING ORDER

Pursuant to Federal Rules of Civil Procedure 16(b)(4) and 29(b) and this Court's Amended Scheduling Order dated October 4, 2022 (Dkt. No. 167) Plaintiff Government Employees Health Association ("Plaintiff") and Defendants Actelion Pharmaceuticals Ltd., Actelion Pharmaceuticals US, Inc., and Janssen Research & Development, LLC ("Defendants") hereby jointly submit the following:

1. On October 4, 2022, the Court entered the operative Scheduling Order. (Dkt. No. 167.)
2. Pursuant to the operative Scheduling Order, depositions were to be completed by November 3, 2022 and Plaintiff's opening expert reports are due December 5, 2022. As reported in the parties' November 3 status reports, (Dkt. Nos. 188-89), the parties have completed 14 party and non-party depositions. The Court also approved the deposition of non-party Hikma Labs to proceed on November 17. (*See id.*)

3. In 2021, pursuant to Fed. R. Civ. P. 45, Plaintiff served a deposition subpoena on non-party Zydus Pharmaceuticals USA (“Zydus”). As further reported in Plaintiff’s November 3 status report (Dkt. No. 189), prior to the close of fact discovery, Zydus agreed to make a witness available for deposition. However, due to Zydus’s scheduling constraints, including religious holidays, Zydus was unable to make a witness available until December 15, 2022.

4. The parties agree to the deposition of Zydus proceeding on December 15, 2022. Defendants reserve the right, however, to raise any disputes regarding the parameters of that deposition with the Court. The Parties further agree that the operative scheduling order should be extended by approximately three weeks, so that the Zydus deposition can be completed before the deadline for Plaintiff to serve expert reports.

5. Accordingly, the parties have stipulated to the attached [Proposed] Amended Scheduling Order, which extends the operative schedule by approximately three weeks. The parties respectfully request that the Court enter the attached [Proposed] Amended Scheduling Order.

Dated: November 22, 2022

Respectfully submitted,

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Case No. 18-cv-3560-GLR

[PROPOSED] AMENDED SCHEDULING ORDER

Current Date (per Oct. 4, 2022 Order)	[Proposed] Modified Date	Event
[None]	December 15, 2022	Deposition of Zydus Pharmaceuticals (USA) Inc.
December 5, 2022	December 22, 2022	Deadline for Plaintiff to serve expert reports.
December 30, 2022	January 16, 2023	Counsel to provide a status report to Magistrate Judge Sullivan as to whether a settlement conference should be scheduled and if so, the timing requested.
February 28, 2023	March 17, 2023	Deadline for Defendants to serve expert reports.
May 18, 2023	June 5, 2023	Deadline for Plaintiff to serve rebuttal expert reports.
June 19, 2023	July 13, 2023	Deadline to complete expert discovery.
June 23, 2023	July 17, 2023	Deadline to serve requests for admission.
June 30, 2023	July 24, 2023	Deadline to file motion for class certification and any <i>Daubert</i> motions related to class certification.

August 15, 2023	September 8, 2023	Deadline to file opposition to motion for class certification and opposition to any <i>Daubert</i> motions related to class certification.
September 26, 2023	October 20, 2023	Deadline to file replies to motion for class certification and reply in support of <i>Daubert</i> motions related to class certification.
TBD (at the Court's convenience)	TBD (at the Court's convenience)	Hearing on motion for class certification.
One week after issuance of order on class certification motion	One week after issuance of order on class certification motion	Parties meet for settlement conference or other ADR (Conference #2).
October 17, 2023	November 10, 2023	Deadline to file motion(s) for summary judgment and any <i>Daubert</i> motion(s) not previously served.
November 28, 2023	December 22, 2023	Deadline to file oppositions to motion(s) for summary judgment and in support of any <i>Daubert</i> motion(s).
December 28, 2023	January 23, 2024	Deadline to file replies in support of motion(s) for summary judgment and in support of any <i>Daubert</i> motion(s).
TBD (at the Court's convenience)	TBD (at the Court's convenience)	Hearing on motion(s) for summary judgment and <i>Daubert</i> motions.

IT IS SO ORDERED.

Dated: _____, 2022

 George L. Russell, III
 United States District Judge


 APPROVED

 /s/
 J. Mark Coulson
 United States Magistrate Judge
 Date: November 22, 2022